

March 26, 2018

Peter Swenson

Chief, Watersheds and Wetland Branch

United States Environmental Protection Agency

Region 5

77 West Jackson Boulevard

Chicago, IL 60604-3590

RE: EPA Letter to Michigan DEQ March 8, 2018

We are writing as residents of Menominee County, Michigan and concerned homeowners who reside on the Menominee River south of the proposed Back 40 mine.

We ask that rather than Aquila Resources be self-monitoring that an independent party would be used for the testing.

I have read the EPA review letter written by Christopher Korleski, Director, Water Division, United States Environmental Protection Agency and the attachments dated March 8, 2018. Those of us who live here appreciate clean air and water and thank the EPA for the input included in the March 8<sup>th</sup> correspondence. The letter mentions 500 acres of wetlands selected for preservation. This is a proposed land swap between Aquila Resources and the State of Michigan Department of Natural Resources which is yet to be determined by the DNR. Petitions, emails and phone calls have been sent to the DNR to prevent this land swap. There is also a question as to the owner of the property as it is being held by a land broker and Aquila does not appear to be the owner. The Michigan DEQ has placed the land swap information in the Wetlands Permit but we are unsure how they can list land that isn't available to trade. Is there a deal the public isn't aware of?

Off-site alternatives were mentioned as Aquila Resources has stated it is not financially feasible. Aquila Resources has two proposed mines in Marathon and Taylor counties in Wisconsin. Aquila has made a public statement to the residents of those counties that they will not process (mill) the rock in those counties but will transport 190 miles to the proposed Back 40 mine. If the costs to transport 190 miles is feasible from Wisconsin why would it not be feasible to transport from the proposed Back 40 mine to Canada as Sault Ste Marie, Canada is 200 miles from the proposed Back 40 mine. With the additional waste and rock storage for these two additional projects I do not see the current footprint being able to accommodate. Add to that, the proposed mining under the Menominee River and now Aquila Resources has been purchasing mineral rights in Faithorn, just north of the proposed Back 40 mine for another proposed mine, and there is no question Menominee County would become a toxic waste dumping ground.

Impact by planned underground mining, under the Menominee River, will have an impact on additional wetlands not only in Michigan but also Wisconsin as Aquila Resources has already been purchasing

mineral rights to land across the river from the proposed Back 40 mine. It will also have impact on the aquatic life in the Menominee River and the food they live on.

Impact from blasting vibrations will also have on effects wetland creatures and plants and also the aquatic life in the Menominee River. Blasting can cause mortality, physical injury, auditory tissue damage, permanent and temporary threshold shifts, behavioral changes and decreased egg and larvae viability. This would impact the protected Sturgeon that live in the river. I did not see this addressed in the correspondence dated March 8, 2018. There has been no testing done for effects of blasting vibrations on the White Rapids Dam, less than a mile from the proposed mine site, which is over 90 years old (life of a cement dam is 50-100 years). The failure of the dam would create an environmental disaster (estimated to take out the dams all the way to the bay with an estimated 30-foot wall of water by the time the water reaches the Menominee and Marinette area) including destructions of wetlands, aquatic life, human life and property. There is no warning system should this happen and there are no financial assurances to assist in such a disaster. Aquila Resources has NO catastrophic modeling in place for pollution of the land, air and water.

I spoke to Andrew Boushy, Vice President, Project Development who stated if there were to be AMD it would be catastrophic. Since every mine in history has produced AMD there is a great risk with this proposed mine, especially being so close to the Menominee River. Any chance is too great a risk not to require catastrophic modeling. Who do we call when our wells are contaminated along with municipal water intake from the river. How would clean water be provided and who pays. Our property values have already dropped according to this year's assessment so the mine is adversely affecting the area already. We cannot sell our home as the loss would be so great and why should we be driven from our homes to facilitate this mining company from Canada. They can walk away at any time and go back to Canada. This mine does NOT have the support of the residents and that is why resolutions have been passed against the proposed mine.

One item of concern was a statement by Barry Hildred, CEO of Aquila Resources who stated the Michigan DEQ will work with Aquila Resources to resolve comments in the March 8<sup>th</sup> letter and as such Aquila is planning to move forward with their next phase of the project. Why is the Michigan DEQ working so closely with Aquila to the point that Aquila's CEO feels the Wetlands permit is a done deal?

This area is home to tens of thousands of people who have chosen this area for the clean air and water and to be able to enjoy the fishing. It is so exciting to see sturgeon swimming in the river and watch the baby eagles grow up. The proposed mine will not have a cover on their waste ponds or tailings piles leaving the birds in danger. There are laws protecting the eagles and migratory birds yet all this waste will remain uncovered. On November 28, 2016 25,000 snow geese were poisoned when they consumed waste in Butte, Montana when they were resting. Protection is needed.

It seems everyone is concerned about the rights of a foreign mining company. What about the people who live here?

We hope these concerns will be addressed.

Thank you!

**Citizen Name / Ex. 6**

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